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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/580,583	05/30/2000	Toni Kopra	004770.00891	8331
22907	7590	02/02/2009	EXAMINER	
BANNER & WITCOFF, LTD. 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051		RETTA, YEHDEGA		
		ART UNIT		PAPER NUMBER
		3622		
		MAIL DATE		DELIVERY MODE
		02/02/2009		PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/580,583	KOPRA, TONI	
	Examiner	Art Unit	
	Yehdega Retta	3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 18 November 2008.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 19,22-34,41,45-47 and 49-53 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 19,22-34,41,45-47 and 49-53 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. _____.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/19/08.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) Notice of Informal Patent Application

6) Other: _____.

DETAILED ACTION

Response to Amendment

This office action is in response to amendment filed November 18, 2008. Applicant amended claims 19, 22-34, 41, 45-47, 49-52, canceled claims 35-40, 48 and added new claim 53. Claims 19, 22-34, 41, 45-47 and 49-53 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19, 22-24, 28, 29, 34, 41 and 50-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rangan et al. U.S. Patent No. 6,006,265 in view of Applicant's background further in view of Bandera et al. U.S. 6,332,127 and further in view of Owa et al. (US 6,711,379 B1).

Regarding claims 19, 22, 34, 36 and 52, Rangan teaches displaying a link to a resource wherein the link is related to a product and a position of the link is a video displayed on a terminal and corresponds to an image of the product (see fig. 3a-3d, 4 and 5, col. 14 lines 16-67, col. 17 lines 49-58, col. 18 lines 34-58, col. 21 lines 40-60). Rangan teaches hyperlinks interpreted only when and if exercised by the user, is focused and targeted to the specific terminal exercising the hyperlink, i.e., it makes hyperlinking within streaming digital hypervideo specific to particular place of the user terminal and particular time of the hyperlink exercised and

specific to and other factors (see col. 9 lines 32-60). Rangan teaches a receiver that is configured to receive digital broadcasting over the digital broadcasting network wherein the video is received via the digital broadcasting network (see col. 6 lines 5-17).

Rangan failed to teach the feature being provided on a mobile terminal. However, applicant in the background of the specification teaches, “Recent improvements in technology have allowed the widespread proliferation of higher speed Internet access, such as 56K modems, Digital Subscriber Line (DSL) and cable TV Internet connections, etc. These high speed Internet connections can support video streaming - the transmission of compressed video signals over the Internet so as to produce picture and sound comparable to that of a standard television receiver. Furthermore, high speed data services to mobile terminals are supported by advanced Third Generation (3G) Universal Mobile Telecommunications System (UMTS) or Global System for Mobile Communication/General Packet Radio Service (GSM/GPRS) mobile networks”. The specification further teaches “One aspect of the present invention takes advantage of these advancements by placing products as active hypertext links in images and streaming Internet video so that the viewer can click on the position of the product in the image or video to link to information about the product”. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the service disclosed in Rangan in a wireless devices since the third generation of cellular or wireless technology (3G) with much greater bandwidth are enabled to browse web sites on the Internet, to transmit and receive graphics, to execute streaming audio or video applications, (applicant’s background). Applicant discloses that one aspect of the present invention takes advantage of these advancements by placing products as active hypertext links in images and streaming Internet video so that the viewer could click on

the position of the product (see page 4), however this feature is taught in Rangan. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the streaming data and the placing of product as active hypertext links in images, as taught in Rangan, to 3G wireless networks for real time applications, for the intended purpose of providing streaming digital hypervideo including coupons embedded hyperlinks of Rangan to consumer of wireless devices, since the current wireless devices do not inherit the limited bandwidth of the preceding wireless devices. Bandera teaches displaying a link to a resource with a mobile terminal; determining a selection of the link by a user (see col. 7 lines 9-30, col. 4 lines 46-60) to determine content that is related to the linked resource and also to the location of the terminal; *receiving via the mobile communication network the content; (see col. 6 lines 43-67, col. 7 line 1 to col. 8 line 24)*; determining the location at periodic interval; searching a database for sellers information (see abstract, col. 2 lines 29-53, col. 5 lines 15-25 and col. 6 line 41 to col. 7 line 52). Bandera teaches providing an advertising object (banner ads of a related content) and the advertising objects including a text files, audio files, video files, image files, hyperlinks and the likes (see col. 2 lines 36-60). Rangan teaches streaming digital hypervideo including hyperlinks distributed upon a digital communications network (see abstract). It would also have been obvious to one of ordinary skill in the art at the time of the invention to automatically determine the location of the terminal as in Bandera for the intended purpose of providing information, such as coupons or advertising based on the location of the terminal, as taught in Bandera. One would be motivated to provide Rangan's coupons or advertisings (see col. 28 lines 9-32) based on location, as taught in Bandera. *Rangan/Bandera does not specifically teach that wherein the mobile communication network is a different network than the digital broadcasting network, it is*

taught in Owa. Owa teaches the location of the mobile terminal received transmitted from a plurality of GPS satellites (see col. 7 lines 40-52, col. 9 lines 14-22) and broadcast signal from a digital broadcast system (see fig. 23, 24, col. 20 lines 20-67, col. 21 line 56 to col. 22 line 67, col. 25 line 3-33). It would have been obvious to one of the ordinary skill in the art at the time of the invention to transmit the digital broadcast through the digital broadcasting network and the location of the device through a mobile communication network different than the digital broadcast network if the Global positioning system is not capable of transmitting the digital signal.

Regarding claim 23, Bandera teaches determining the network address of the mobile terminal and mapping the network address to mobile identifier is inherent feature of Bandera's access to Internet (see col. 4 lines 36-45). The same motivation stated above applies.

Regarding claim 24, Bandera teaches wherein the content received is information on a reseller that is closest to the location of the mobile terminal. *e.g. information related to the nearest store in a national chain stores presented within an advertising object displayed in the web page* (see fig. 2&3 and col. 4 line 35 to col. 5 line 25, col. 7 lines 31-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to search database of reseller in order to select advertising information or coupons about product that is physically near the user's present location, as disclosed in Bandera (see col. 7 lines 32-40).

Regarding claims 28 and 29, Rangan teaches display a link to a resource wherein the link is related to a product and a position of the link is a video displayed on a terminal and corresponds to an image of the product (see fig. 3a-3d, 4 and 5, col. 14 lines 16-67, col. 17 lines

49-58, col. 18 lines 34-58, col. 21 lines 40-60). Rangan teaches hyperlinks interpreted only when and if exercised by the user, is focused and targeted to the specific terminal exercising the hyperlink, i.e., it makes hyperlinking within streaming digital hypervideo specific to particular place of the user terminal and particular time of the hyperlink exercised and specific to and other factors (see col. 9 lines 32-60). Rangan teaches a receiver that is configured to receive digital broadcasting over the digital broadcasting network wherein the video is received via the digital broadcasting network (see col. 6 lines 5-17).

Rangan failed to teach the feature being provided on a mobile terminal. However, applicant in the background of the specification teaches, “Recent improvements in technology have allowed the widespread proliferation of higher speed Internet access, such as 56K modems, Digital Subscriber Line (DSL) and cable TV Internet connections, etc. These high speed Internet connections can support video streaming - the transmission of compressed video signals over the Internet so as to produce picture and sound comparable to that of a standard television receiver. Furthermore, high speed data services to mobile terminals are supported by advanced Third Generation (3G) Universal Mobile Telecommunications System (UMTS) or Global System for Mobile Communication/General Packet Radio Service (GSM/GPRS) mobile networks”. The specification further teaches “One aspect of the present invention takes advantage of these advancements by placing products as active hypertext links in images and streaming Internet video so that the viewer can click on the position of the product in the image or video to link to information about the product”. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the service disclosed in Rangan in a wireless devices since the third generation of cellular or wireless technology (3G) with much greater bandwidth are

enabled to browse web sites on the Internet, to transmit and receive graphics, to execute streaming audio or video applications, as taught in applicant's background. Applicant discloses that one aspect of the present invention takes advantage of these advancements by placing products as active hypertext links in images and streaming Internet video so that the viewer could click on the position of the product (see page 4), however this feature is taught in Rangan. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the streaming data and the placing of product as active hypertext links in images, as taught in Rangan, to 3G wireless networks for real time applications, for the intended purpose of providing streaming digital hypervideo including coupons embedded hyperlinks of Rangan to consumer of wireless devices, since the current wireless devices do not inherit the limited bandwidth of the preceding wireless devices. Bandera teaches transceiver configured to communicate over a network; a memory including logical instructions stored therein and a processor configured to enable action based on executing the logical instruction for displaying a link to a resource; storing the location of the mobile terminal *wherein the location of the mobile terminal is received via the mobile communication network (see col. 6 lines 43-67, col. 7 line 1 to col. 8 line 24);*; determined using the mobile communication network in response to the selection of the link (see col. 7 lines 9-30, col. 4 lines 46-60 and communication the selected link and the location of the mobile terminal to an application server using the mobile communication network; receiving content related to the linked resource and the location and displaying the content (see fig. 2, abstract, col. 2 lines 29-53, col. 5 lines 15-25 and col. 6 line 41 to col. 7 line 52). Bandera teaches providing an advertising object (banner ads of a related content) and the advertising objects including a text files, audio files, video files, image files, hyperlinks and the

likes (see col. 2 lines 36-60). Bandera teaches providing an advertising object (banner ads of a related content) and the advertising objects including a text files, audio files, video files, image files, hyperlinks and the likes (see col. 2 lines 36-60). Rangan teaches streaming digital hypervideo including hyperlinks distributed upon a digital communications network (see abstract. It would also have been obvious to one of ordinary skill in the art at the time of the invention to automatically determine the location of the terminal as in Bandera for the intended purpose of providing information, such as coupons or advertising based on the location of the terminal, as taught in Bandera. One would be motivated to provide Rangan's coupons or advertisings (see col. 28 lines 9-32) based on location, as taught in Bandera. *Rangan/Bandera does not specifically teach that wherein the mobile communication network is a different network than the digital broadcasting network, it is taught in Owa. Owa teaches the location of the mobile terminal received transmitted from a plurality of GPS satellites (see col. 7 lines 40-52, col. 9 lines 14-22) and broadcast signal from a digital broadcast system (see fig. 23, 24, col. 20 lines 20-67, col. 21 line 56 to col. 22 line 67, col. 25 line 3-33). It would have been obvious to one of the ordinary skill in the art at the time of the invention to transmit the digital broadcast through the digital broadcasting network and the location of the device through a mobile communication network different than the digital broadcast network if the Global positioning system is not capable of transmitting the digital signal.*

Regarding claims 37-39, Bandera teaches searching database for reseller information that is a match to the location of the terminal and advertisement and providing the information to the mobile terminal (see fig. 2&3 and col. 4 line 35 to col. 5 line 25). Base station subsystem and mobile terminal connected via GSM network is inherent feature. It would have been obvious to

one of ordinary skill in the art at the time of the invention to search database of reseller in order to select advertising information or coupons about product that is physically near the user's present location, as disclosed in Bandera (see col. 7 lines 32-40).

Claims 41 and 50 are rejected as stated above in claim 19.

Regarding claims 45-47, 49 and 51, Rangan teaches selection of the link stops the delivery of the video while the related content is displayed (see fig. 4, 6-8).

Claims 25-27 and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rangan et al. U.S. Patent No. 6,006,265 in view of Applicant's background further in view of Bandera et al. U.S. Patent No. 6,332,127 in view of Owa et al. (US 6,711,379 B1) and further in view of Saha et al. U.S. Patent No. 6,198,935.

Regarding claims 25-27, 30-33 and 40 Bandera teaches the location of the mobile terminal being determining using different method, such GPS, or based on identification of the cellular base station or satellite beam (see col. 4 lines 46-60 and col. 6 line 42 to col. 7 line 30). Bandera does not explicitly teach measuring radio signals and determining the arrival time of a first detectable path and determining idle periods, it is taught by Saha (see abstract and col. 5 line 15 to col. 6 line 67 and col. 7 lines 5-23). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Bandera's mobile terminal with Saha's determining of position based upon network characteristics. One would be motivated to include signal measurement for the purpose of computing an accurate position of a mobile station, as taught by Saha (see col. 7 lines 5-10). Bandera's Web access from the mobile terminal enables a bet from the mobile terminal.

Response to Arguments

Applicant's arguments with respect to claims 19, 22-34, 41 and 45-47, 49-53 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yehdega Retta whose telephone number is (571) 272-6723. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

YR

/Yehdega Retta/
Primary Examiner, Art Unit 3622

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